



TOWN SEAL
tel: 781-631-1529

fax: 781-631-2617

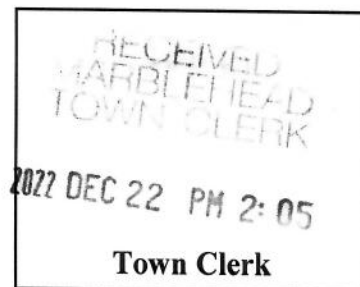
Revision Date: 12-02-20

Town of Marblehead **ZONING BOARD OF APPEALS**

Mary A. Alley Municipal Building
7 Widger Road, Marblehead, MA 01945

ZBA APPLICATION

PAGE 1 of 3



Project Address 172 Atlantic Avenue

Assessor Map(s) 90 Parcel Number(s) 5

OWNER INFORMATION

Signature _____ date _____

Name (printed) Denis and Carla Whelan

Address 172 Atlantic Avenue, Marblehead, MA 01945

Phone Numbers: home 610-639-7932 work _____

E-mail deniswhelan16@gmail.com fax _____

APPLICANT or REPRESENTATIVE INFORMATION (if different from owner)

Signature *Paul M. Lynch* date 12/16/22

Name (printed) Denis and Carla Whelan

Address c/o Paul M. Lynch, Esq., Zero Spring Street, Marblehead, MA 01945

Phone Numbers: home _____ work 781-631-7808

E-mail lynch@marbleheadlaw.com fax _____

PROJECT DESCRIPTION & RELIEF REQUESTED (attach additional page if necessary)

Specail Permit to construct an addition to the existing single-family dwelling

on a lot with less than the required lot area, lot frontage, front yard setback and exceeds the allowed height.

The addition will have less than the required side yard setback.

The addition will exceed the allowed 10% increase for a nonconforming building.

- Please schedule a Zoning / Application review with the Building Department by calling 781-631-2220.
- Obtain the Town Clerk's stamp and submit 12 copies of each of the following to the Town Engineer's Office:
 - the signed and stamped application (3 pages);
 - current survey plan (not older than 90 days) as prepared by a Registered Professional Land Surveyor;
 - the project design plans as required;
 - check for the applicable fee payable to the Town of Marblehead.
- Any relevant permit(s) that were previously issued must be available for review by the Board of Appeals at the scheduled hearing. (Section 3(D), Board of Zoning Appeals Rules & Regulations).

REQUIRED SIGNATURES

1. Building Commissioner (pages 1, 2 and 3) _____

2. Town Clerk's stamp (upper right corner)

Paul M. Lynch 12-21-22

Reviewed by
Building Department
For Zoning Board
Of Appeals

View Bylaws - (Chapter 200, Zoning) - online at: www.marblehead.org/

Town of Marblehead
ZBA-APPLICATION
Page 2 of 3

Revision Date: 12-02-2020

Project Address 172 Atlantic Avenue

Map(s) / Parcel(s) 90/5

ZONING DISTRICT (circle all that apply)

B B1 BR CR SCR ECR GR SGR **(SR)** SSR ESR SESR HBR U SU

CURRENT USE (explain) Single Family Dwelling

CURRENT USE CONFORMS TO ZONING (Article IV, Table 1)

Yes ☒ No ☐ (explain) _____

PROPOSED CHANGE OF USE

No ☒ Yes ☐ (explain) _____

PROPOSED CONSTRUCTION QUALIFIES AS "Building New" (§200-7) Yes ☐ No ☒

EXISTING DIMENSIONAL NON-CONFORMITIES (check all that apply)

- ☒ Lot Area - Less than required (§200-7 and Table 2)
- ☐ Lot Width - Less than required (§200-7)
- ☒ Frontage - Less than required (§200-7 and Table 2)
- ☒ Front Yard Setback - Less than required (Table 2)
- ☐ Rear Yard Setback - Less than required (Table 2)
- ☐ Side Yard Setback - Less than required (Table 2)
- ☒ Height - Exceeds maximum allowed (§200-7 and Table 2)
- ☐ Open Area - Less than required (§200-7, §200-15.B(2) and Table 2)
- ☐ Parking - Less than required; undersized; tandem (§200-17 to §200-21) (circle all that apply)
- ☐ Other Non-conformities (explain) _____
- ☐ No Existing Dimensional Non-conformities

NEW DIMENSIONAL NON-CONFORMITIES (check all that apply)

- ☐ Lot Area - Less than required (§200-7 and Table 2)
- ☐ Lot Width - Less than required (§200-7)
- ☐ Frontage - Less than required (§200-7 and Table 2)
- ☐ Front Yard Setback - Less than required (Table 2)
- ☐ Rear Yard Setback - Less than required (Table 2)
- ☒ Side Yard Setback - Less than required (Table 2)
- ☐ Height - Exceeds maximum allowed (§200-7 and Table 2)
- ☐ Open Area - Less than required (§200-7, §200-15.B(2) and Table 2)
- ☐ Parking - Less than required; undersized; tandem (§200-17 to §200-21) (circle all that apply)
- ☒ Exceeds 10% Expansion Limits for Non-conforming Building (§200-30.D)
- ☐ Other Non-conformities (explain) _____
- ☐ No New Dimensional Non-conformities

ADDITIONAL HEARINGS REQUIRED

Conservation Commission	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Historic District Commission	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Planning Board	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

Reviewed by
Building Department
For Zoning Board
Of Appeals

DESIGN & SURVEY PLANS MEET -ZBA- RULES & REGULATIONS (Sections 3(A) and 3(C))

Yes ☒ No ☐ (explain) _____

Building Official _____

Date 12-21-22

Town of Marblehead
ZBA-APPLICATION
Page 3 of 3

Revision Date: 12-02-2020

Project Address 172 Atlantic Avenue

Map(s) / Parcel(s) 90/5

NET OPEN AREA (NOA)

Lot area = A

EXISTING

PROPOSED

Lot area = A	9,500	9,500
Area of features		
footprint of accessory building(s)	225	0
footprint of building	1,089	1,953
footprint of deck(s), porch(es), step(s), bulkhead(s)	523	591
number of required parking spaces <u>2</u> x (9' x 18' per space)	324	324
area of pond(s), or tidal area(s) below MHW	0	0
other areas (explain) _____	0	0
Sum of features = B	2,161	2,868
Net Open Area (NOA) = (A - B)	7,339	6,632

GROSS FLOOR AREA (GFA)

accessory structure(s)	225	0
basement or cellar (area >5' in height)	1,063	1,063
1st floor (12' or less in height) NOTE: [for heights exceeding	1,089	1,953
2nd floor (12' or less in height) 12' see definition	1,066	1,739
3rd floor (12' or less in height) of STORY §200-7]	438	438
4th floor (12' or less in height)	0	0
attic (area >5' in height)	0	0
area under deck (if >5' in height)	0	0
roofed porch(es)	447	500
Gross Floor Area (GFA) = sum of the above areas	4,388	5,753

Proposed total change in GFA = (proposed GFA - existing GFA) = 1,365

Percent change in GFA = (proposed total change in GFA ÷ existing GFA) x 100 = 31.11 %

Existing Open Area Ratio = (existing NOA ÷ existing GFA) = 1:1.67

Proposed Open Area Ratio = (proposed NOA ÷ proposed GFA) = 1: 1.15

This worksheet applies 1. plan by/dated Tucker Architecture & Landscape / 12/15/2022

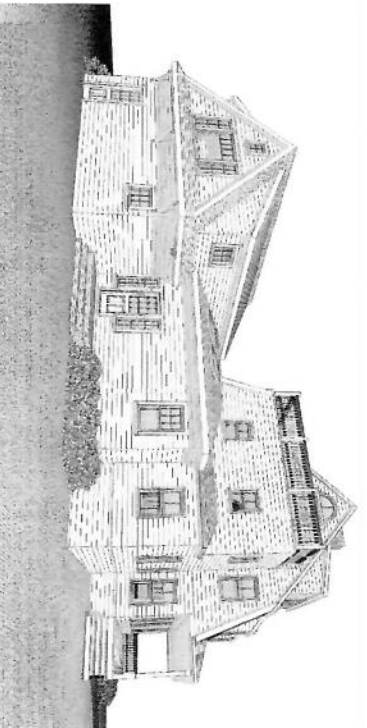
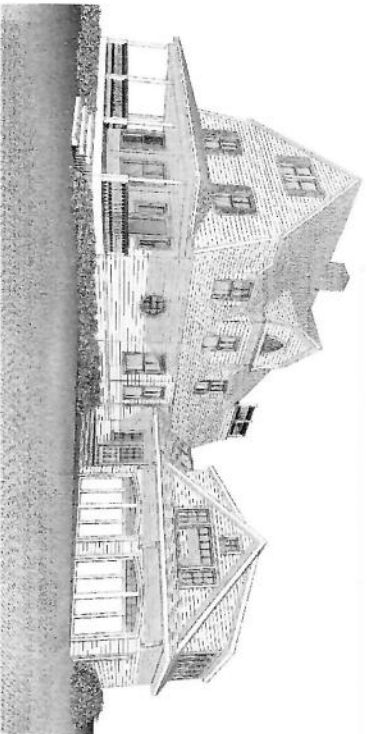
to the following plan(s): 2. plan by/dated North Shore Surve/ 11/4/2022

3. plan by/dated _____



Building Official _____

Date 12-21-22

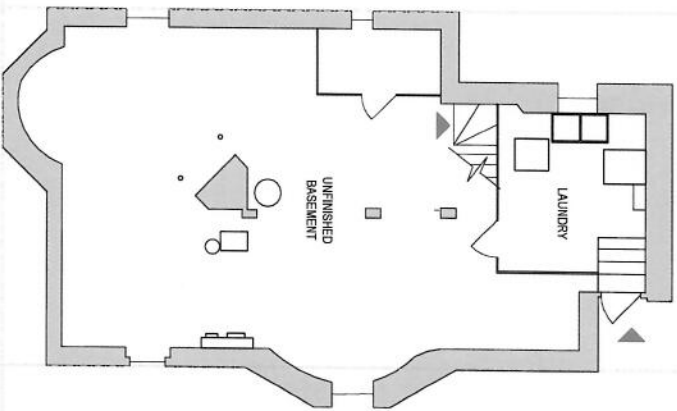
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DO NOT SCALE - GC TO VERIFY ALL DIMENSIONS. NOTIFY ARCHITECT OF ANY DISCREPANCY

<div>  <p>T U C K E R Architecture & Landscape 56 Atlantic Avenue, Marshfield, MA www.tuckerarch.com (781) 631-3546</p> </div>	<div> <p>Tucker Architecture and Landscape, LLC</p> <p>Drawing Index:</p> <ul style="list-style-type: none"> CVR Cover X2 Existing Basement Floor Plan 2 Proposed Basement Floor Plan X3 Existing First Floor Plan 3 Proposed First Floor Plan X4 Existing Second Floor Plan 4 Second Floor Plan X5 Existing Third Floor Plan X6 Existing Roof Plan 6 Proposed Roof Plan X7 Existing Building Elevations 7 Building Elevations X8 Existing Building Elevations 8 Building Elevations </div>
<div> <p>NOT FOR CONSTRUCTION. DRAWINGS ARE TO BE USED FOR ILLUSTRATION PURPOSES ONLY.</p>  <p>CVR</p> </div>	<div> <p>7/20/2024</p> <p>2022 12 15 2PM SET</p> <p>FOR PERMIT</p> <p>Whelan Residence 172 Atlantic Ave Marshfield, MA</p> <p>Cover</p> </div>

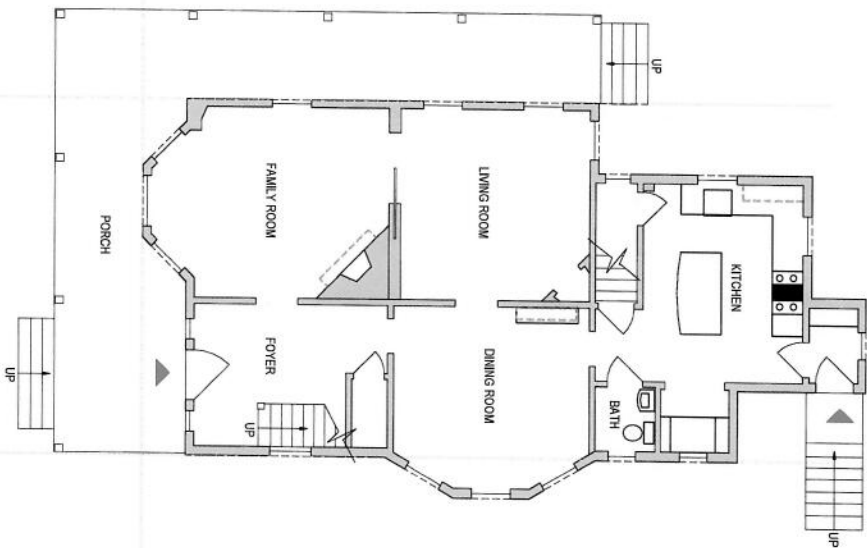

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1 Basement Floor Plan
Scale: 1/8" = 1'-0"

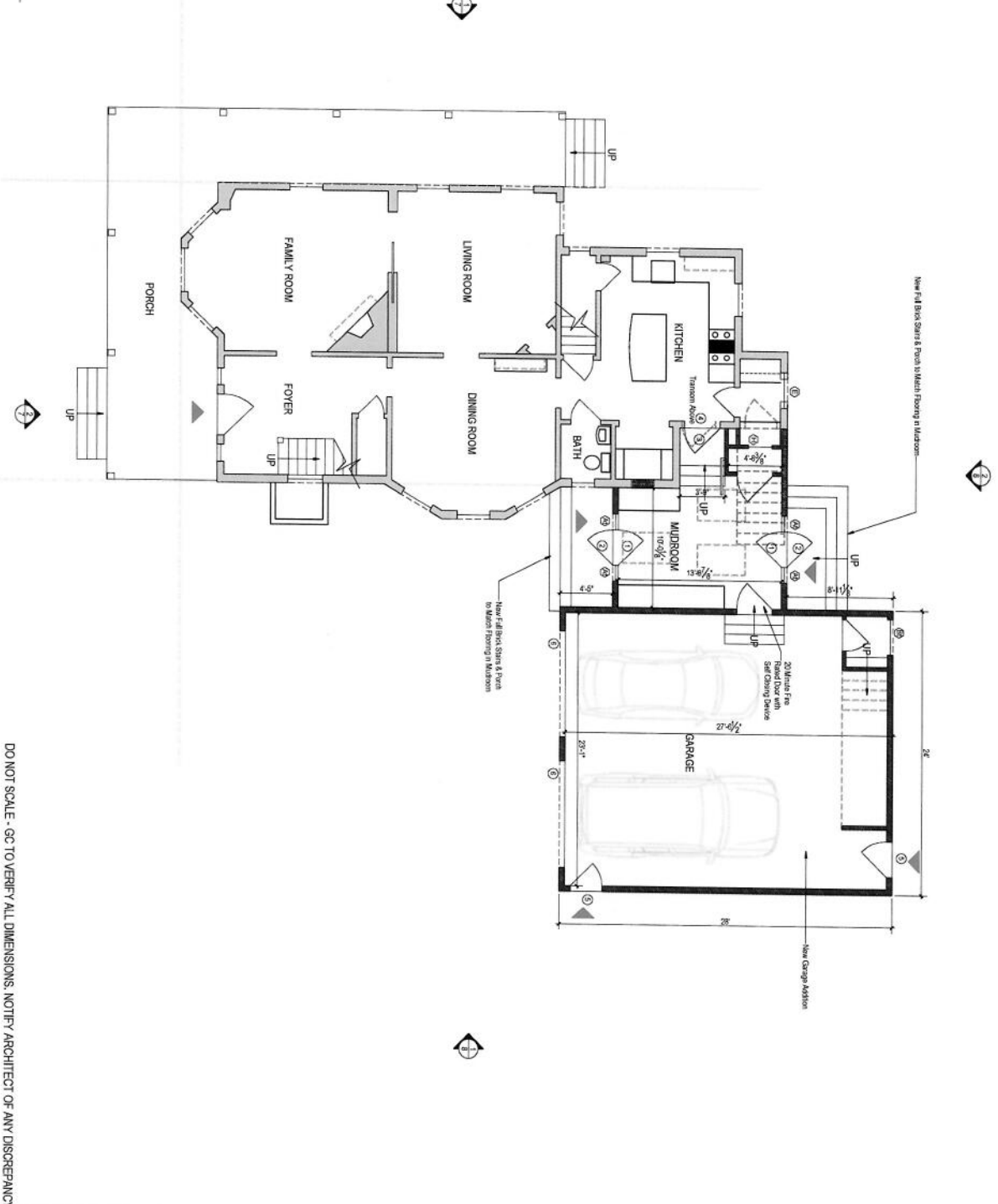
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<p>FOR PERMIT</p> <p>Whelan Residence 172 Atlantic Ave Marblehead, MA Existing Basement Floor Plan</p>	<p>PLAN WALL LEGEND</p> <p>Existing Structure Existing Wall to be removed Proposed Concrete Walls Proposed Glass to be removed</p> <p>REVISION DATE 2022 12 15 2BA SET</p> <p>NOTE: ORIGINAL DRAWING SET TO SCALE FULL SCALE</p> <p>SCALE: 1/8" = 1'-0"</p> <p>PAGE NO.: X2</p>
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<p>TUCKER Architecture & Landscape 56 Atlantic Avenue, Marshfield, MA www.TuckerArch.com (781) 631-3546 Tucker Architecture and Landscape LLC</p>	<p>PLAN WALL LEGEND: Proposed Dual Walls Existing Walls to be removed Existing Walls to be retained Proposed Concrete Walls Points of Elevation to Exterior</p> <p>REVISION DATE 2022 12 15 DBA SET</p> <p>FOR PERMIT</p> <p>Whelan Residence 172 Atlantic Ave Marshfield, MA</p> <p>Existing First Floor Plan</p> <p>NOTE: ORIGINAL DRAWING SET TO THIS FULL SCALE PAGE NO. X3</p>
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FOR PERMIT

Wheelan Residence
172 Atlantic Ave
Marshfield, MA

Proposed First Floor Plan

REVISION DATE:
2022 12 15 ZBA SET

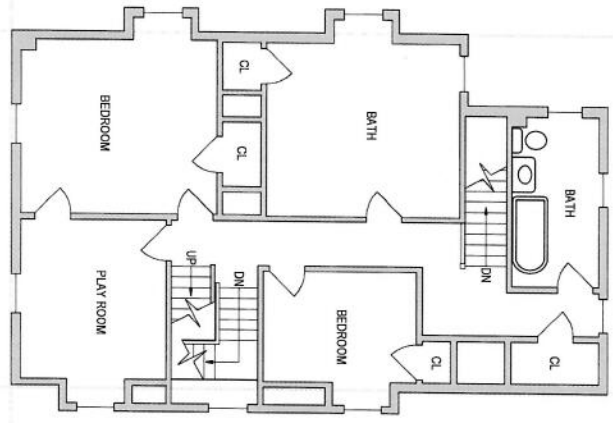
IN ANY WALL SECTION:

- Proposed Solid Walls
- Existing Walls to be Retained
- Existing Walls to be Removed
- Proposed Concrete Walls


Points of Egress to Exterior

NOTE: OVERLAP DRAWING SET TO EXACT FULL SCALE

PAGE NO. **3**



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PLAN WALL LEGEND

- Thick solid line: Proposed 2nd floor
- Dashed line: Existing walls to be removed
- Thin solid line: Existing walls to be retained
- Thin solid line with dots: Proposed Concrete Walls
- Thin solid line with triangles: Points of Egress to Exterior


Revision DATE: 2022 12 15 BBA SET

FOR PERMIT

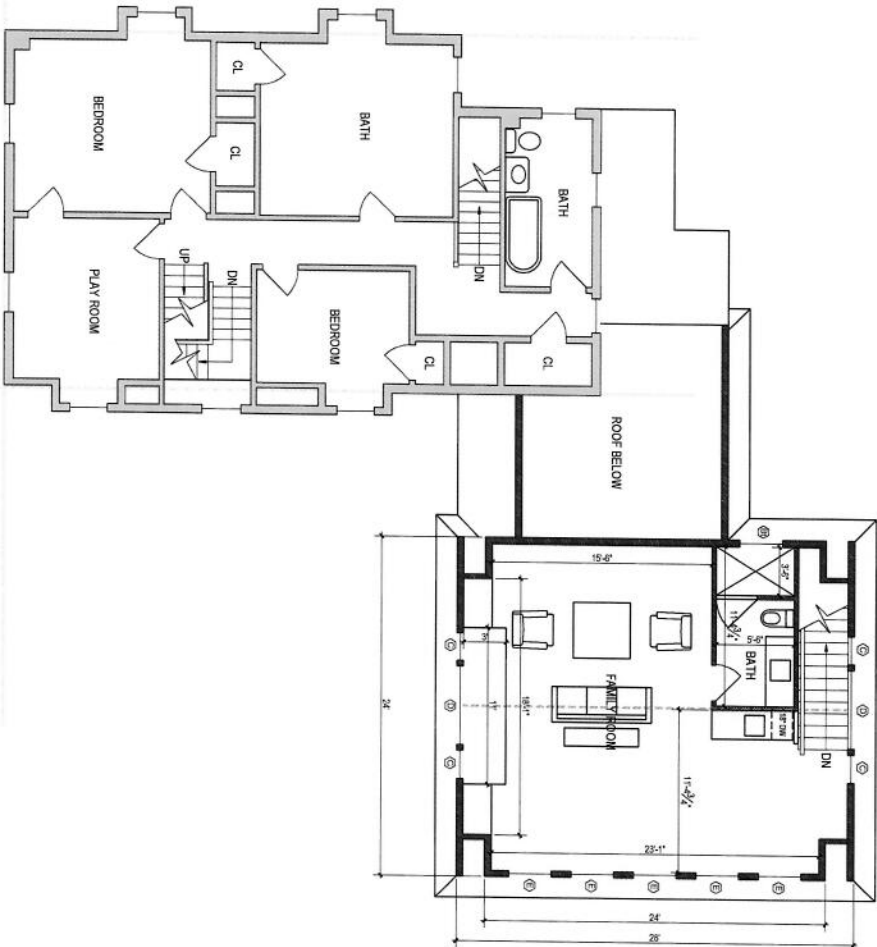
Whelan Residence
172 Atlantic Ave
Marblehead, MA

Existing Second Floor Plan

NOTE: CHINA DRAWING SET TO MATCH FULL SCALE



PAGE NO. **X4**




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PLAN WALL ELEVATION

Proposed Steel Wall

Existing Wall to Remain

Existing Wall to be Removed

Proposed Concrete Wall

North of Figure to Elevation

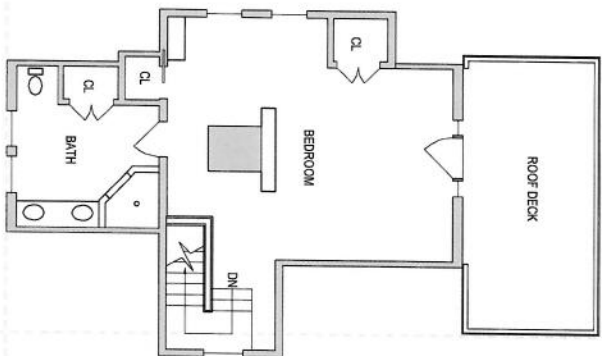
REVISION DATE

2022 12 15 ZBA SET

FOR PERMIT


Whelan Residence
172 Atlantic Ave
Marblehead, MA

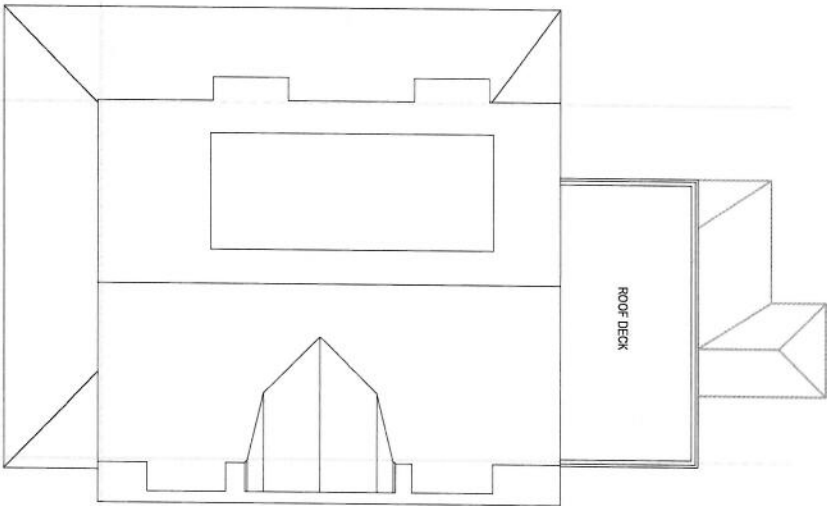

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1 Attic Plan
Scale: 1/8"=1'-0"

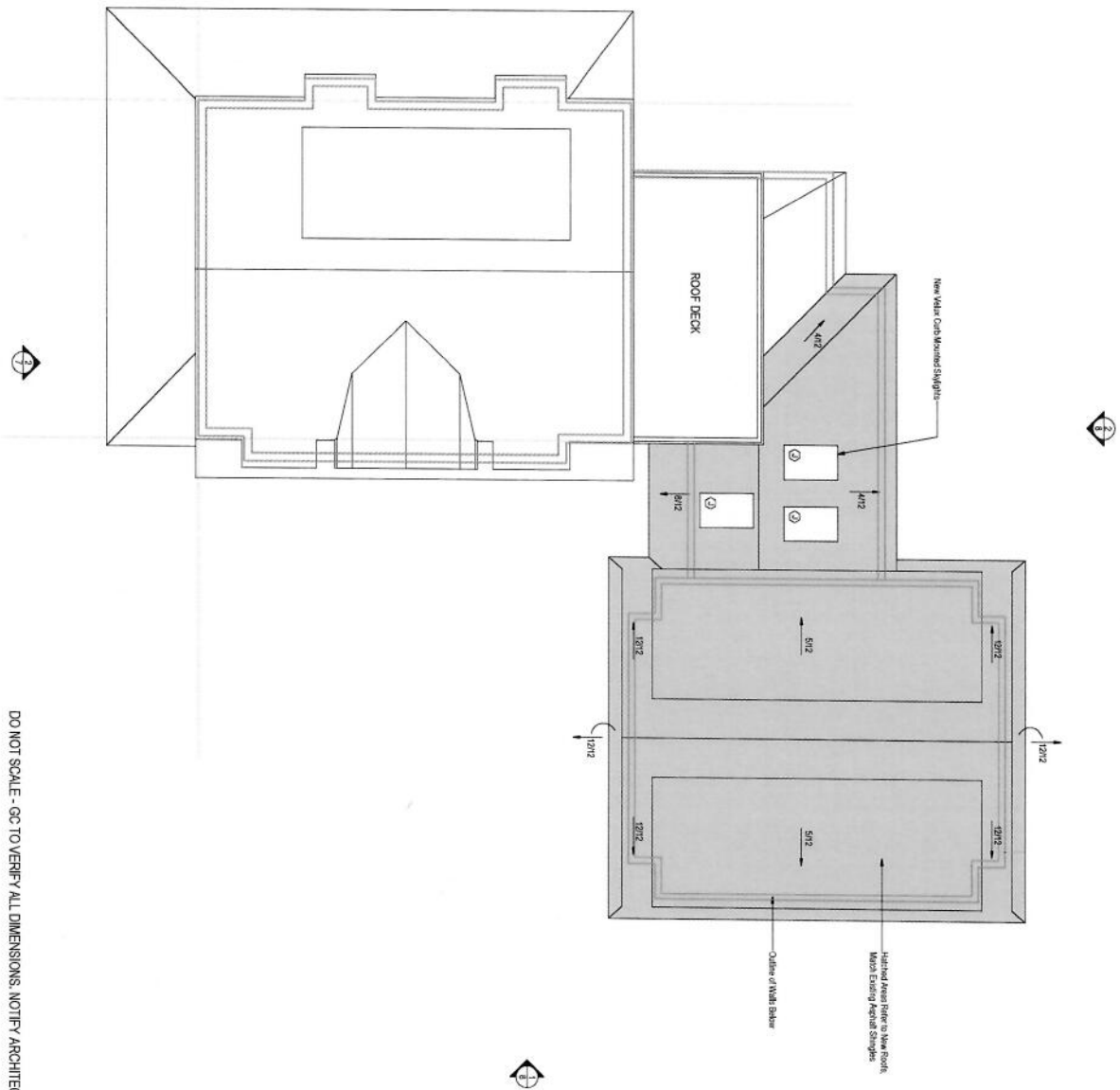
DO NOT SCALE - GC TO VERIFY ALL DIMENSIONS, NOTIFY ARCHITECT OF ANY DISCREPANCY

<p>FOR PERMIT</p> <p>Whelan Residence 172 Atlantic Ave Marshfield, MA</p> <p>Existing Attic Plan</p> <p>NOTE: DRAWING, DRAWING SET TO 2023 TELL SCALE 1/8"=1'-0"</p> <p> X5</p>	<p>PLAN WALL LEGEND</p> <p>Proposed floor plate</p> <p>Existing walls to remain</p> <p>Existing walls to be removed</p> <p>Proposed exterior walls</p> <p>Future of space is further</p> <p>REVISION DATE: 2022 12 15 2DA SET</p>
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<p>REVISIONS: 2022 12 15 28A SET</p>	
<p>FOR PERMIT</p>	
<p>Whelan Residence 172 Atlantic Ave Marshfield, MA</p>	
<p>Existing Roof Plan</p>	
<p>NOTE: ORIGINAL DRAWING SET TO 15 PAGES FULL SCALE</p>	<p>PAGE NO. X6</p>



DO NOT SCALE - GC TO VERIFY ALL DIMENSIONS. NOTIFY ARCHITECT OF ANY DISCREPANCY

<p>TUCKER Architecture & Landscape 56 Atlantic Avenue, Marblehead, MA www.tuckerarch.com (781) 631-3546 Tucker Architecture and Landscape LLC</p>	<p>REVISION DATE: 2022 12 15 2024 SET</p> <p>FOR PERMIT</p> <p>Whelan Residence 172 Atlantic Ave Marblehead, MA</p> <p>Proposed Roof Plan</p> <p>NOTE: DIMENSIONS SHOWN SET TO MATCH FULL SCALE. PAGE NO. 6</p>
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 <p>TUCKER Architecture & Landscape 56 Atlantic Avenue, Marshfield, MA www.TuckerArch.com (781) 631-3546 Tucker Architecture and Landscape LLC</p>	
<p>REVISIONS: 2022.12.15 ZBA SET</p> <p>FOR PERMIT</p> <p>Whelan Residence 1722 Atlantic Ave Marshfield, MA</p> <p>Existing Building Elevations</p> <p>NOTE: ORIGINAL DRAWING SET TO REMAIN FULL SCALE</p> <p>PAGE NO. X8</p>	

